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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,953	12/22/2000	Robert James Laferriere	GEMS:0110/YOD (15-SV-5653)	1242
7590	04/21/2004		EXAMINER TRAN, LAMBERT L	
Patrick S. Yoder Suite 330 7915 FM 1960 West Houston, TX 77070			ART UNIT 2144	PAPER NUMBER 5
DATE MAILED: 04/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/746,953

Applicant(s)

LAFERRIERE ET AL.

Examiner

Lambert L. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Amendment A, filed on 09 February 2004, has been entered as Paper No. 4.
2. Claims 1-29 remain pending.

#### *Priority*

3. No claim for priority has been made in this application.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9, 11-17, 20-24, 26-27, 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al., U.S. Patent No 5,515,491, hereinafter referred to as Bates, in view of what would have been obvious (within the scope of knowledge of an ordinary skill artisan) at the time the invention was made.

6. In regard to claims 1, 11, 20, 24, Bates disclosed: *a method for controlling* (management of communications) *operation of a controlled computer* (personal computer, see Bates, col. 5, lines 10-26) *via a controlling computer* (server, see Bates, col. 5, lines 26-32) *in a collaborative environment, the method comprising the steps of:*

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*displaying an interface screen (shared data object, window, graphical image) at a controlled computer based upon a program run by the controlled computer [see Bates, ABSTRACT, and col. 5, lines 33-57];*

*transmitting screen data representative of the screen for display at a controlling computer coupled to the controlled computer via a network [see Bates, col. 9, lines 3-14, col. 10, lines 59-67];*

*transmitting input event data from the controlling computer to the controlled computer via the network [Bates disclosed a collaborative screen editing in which each personal computer (12) of Figure 1 can either be a controlled or controlling computer. Input event data, such as mouse movements, cursor movements are transferred through the network. See Bates, col. 5, lines 33-42, and col. 12, lines 3-9, col. 10, lines 64-67, and Figure 8];*

*designating a portion of the screen (a region within the shared data object) at the controlled computer based upon the input event data and the program [see Bates, col. 3, lines 19-30, see also Figures 4-8];*

*executing a command based upon the input event data (edit) [see Bates, col. 12, lines 3-9].*

7. Bates disclosed the collaborative screen editing system substantially as claimed.

However, Bates did not expressly disclose caching. While not mentioning caching, Bates did specifically suggest a storage system at both server [see Bates, col. 5, lines 13-15], and client [see Bates, col. 11, line 67 and col. 12, line 1]. An ordinary artisan in the art at the same time the invention was made, would have been motivated to look to a way to implement Bates storage systems at both server and client (or controlled and controlling computer) using cache, since cache, after all, is an advance storage system.

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8. Accordingly, it would have been obvious to one of ordinary skill in the client server collaborative architecture art at the time the invention was made to have implemented a cache system at both controlled and controlling computers for the purpose of performance improvement. Because caching would significantly improve the performance of memory accesses (such as refresh rate) which are required in any data driven graphic application. Thus, the limitation:

*caching the portion of the screen at the controlling and controlled computer is met.*

9. In regard to claims 2, 26, 14, 22, Bates disclosed:

*caching at least the data corresponding to the logical block at the controlled, controlling computer [see Bates, col. 11, line 67 and col. 12, line 1, and the rationale set forth above].*

10. In regard to claims 3, 7, 12-13, 21, Bates disclosed:

*data corresponding to the logical block includes data representative of coordinates of a perimeter of the logical block [see Bates, col. 10, lines 59-67, Figure 6].*

11. In regard to claims 4, 27, Bates disclosed:

*the program is resident at and is run on the controlled computer (editor) [see Bates, ABSTRACT, and col. 9, lines 17-21];*

12. In regard to claims 5, 6, Bates disclosed:

*input device; a computer mouse [see Bates, col. 9, lines 29-31].*

13. In regard to claim 8, Bates disclosed: *executing an instruction via the controlled computer based upon the input event (cursor movement) [see Bates, col. 15, lines 3-24].*

14. In regard to claims 9, 17, Bates disclosed: *the logical block includes a display window [see Bates, col. 59, lines 29-32, and Figures 4-8].*

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15. In regard to claims 15-16, 23, Bates disclosed:

*computer background data; background data is referenced to fill; background data representative of a portion of a screen beneath the portion* [see Bates, col. 7, lines 59-61, Figures 4-8].

16. In regard to claim 29, Bates disclosed:

*a plurality of controlling computers linked to the controlled computer via the network, each controlling computer including a cache memory for storing the portions of the interface screen* [see Bates, ABSTRACT, col. 3, lines 19-30, col. 5, lines 13-15, col. 11, line 67 and col. 12, line 1, and the rationale about caching set forth above].

17. Claims 10, 18-19, 25, 28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates, in view of what would have been obvious (within the scope of knowledge of an ordinary skill artisan) at the time the invention was made, further in view of Curtis et al., U.S. Patent No 6,338,086, hereinafter referred to as Curtis.

18. In regard to claims 10, 18, 25, 28, Bates disclosed the invention substantially as claimed. However, Bates did not expressly disclose: *graphical command device; graphical input device; an input device and data representative of input events; a controlled device*. In the same field of collaborative computing [see Curtis, ABSTRACT], Curtis disclosed: *graphical command device; graphical input device; an input device and data representative of input events* (user input device with cursor control); *a controlled device* (alphanumeric input device, user input device with cursor control) [see Curtis, col. 3, lines 17-24, and Figure 1]. An ordinary artisan in the art at the same time the invention was made, would have been motivated to look for a way to enhance

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cooperative work in a collaborative computer system [see Bates, col. 3, lines 1-3] by utilizing special devices.

19. Accordingly, it would have been obvious to one of ordinary skill in the collaborative computing art at the time the invention was made to have incorporated Bates' teachings with the teachings of Curtis, for the purpose of providing concurrency control of objects with more natural, real-time response [see Curtis, col. 12, lines 1-3].

20. In regard to claim 19, Curtis disclosed: *network includes the Internet* [see Curtis, col. 1, lines 33-40].

21. Since all the claims limitations are met by the combination inventions Bates-Curtis, and of what would have been obvious at the time the invention was made, claims 1-29 are rejected.

### ***Response to Arguments***

22. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

23. In regard to Applicant's arguments pertaining to Bates reference, Applicant argues that Bates did not teach *transmitting input event data from the controlling computer to the controlled computer via the network*. It is asserted that Bates disclosed a collaborative screen editing in which each personal computer (12) of Figure 1 can either be a controlled or controlling computer. Input event data, such as mouse movements, cursor movements are transferred through the network in addition with commands to edit, lock or take ownership of the displayed

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portion [See Bates, col. 5, lines 33-42, col. 6, lines 31-35, col. 12, lines 3-9, col. 10, lines 64-67, and Figure 4-8].

24. In reference to *designating a portion of the screen, at the controlled computer based upon the input event data and the program*, Bates disclosed in column 3, lines 19-30, quoted:

The collaborative computer-based system includes multiple display devices, a shared data object that is simultaneously accessible by multiple users within the system. Portions of the shared data object may be displayed on the display devices and cursors are provided within the shared data object. Each of the cursors is associated with one of the users. In managing communications within the collaborative computer-based system, a region within the shared data object may be designated. A designated message is then automatically transmitted in response to selected activities of one or more users within the designated region for the shared data object.

In addition, Figures 4-8 clearly *designating a portion of the screen*. Note the dotted lines around the spacecraft on Figures 4-7.

25. In regard to caching, see the rationale set forth above in this Office Action, Paragraph 7-8.

### ***Conclusion***

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lambert L. Tran whose telephone number is (703) 305-4663. The examiner can normally be reached on M-F at 9AM - 5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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April 18, 2004

  
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